

# DESCRIPTION OF THE ORDER OF SELECTION, ITS JUSTIFICATION, AND THE OUTCOME AND SERVICE GOALS WITHIN EACH CATEGORY OF THE ORDER

## Description of Order of Selection

The Wisconsin Division of Vocational Rehabilitation implemented an Order of Selection within its VR program effective 12/5/94.

Based on a functional assessment in each of the seven areas of life functioning, eligible individuals are assessed according to the significance of their disability, as defined in the Rehabilitation Act, section 7(21)(A):

...the term "individual with a significant disability" means an individual with a disability -

- (i) who has a severe physical or mental impairment which seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;
- (ii) whose vocational rehabilitation can be expected to require multiple services over an extended period of time; and
- (iii) who has one or more physical or mental disabilities resulting from [list] ... or another disability ... to cause comparable substantial functional limitations.

## DVR Policy on Order of Selection

At any time DVR resources do not permit all eligible consumers to be served, an order of selection for services shall be implemented. First priority will be given to consumers with the most significant disabilities. Second priority shall be given to consumers with significant disabilities. Third priority will be given to other eligible consumers.

### Priority Description:

- A consumer has a **most significant disability** if a severe mental or physical impairment exists that seriously limits three or more functional capacities in terms of an employment outcome and whose vocational rehabilitation requires multiple services over an extended period of time.
- A consumer has a **significant disability** if a severe mental or physical impairment exists that seriously limits one or more functional capacities in terms of an employment outcome and whose vocational rehabilitation requires multiple services over an extended period of time.
- **Other eligible** consumers who do not have a disability that seriously limits one or more functional capacities and do not require multiple services over an extended period of time.

**Terminology:**

**Extended period of time:** Needing VR services for duration of **six months or more** with a 90 day follow up after achieving a successful rehabilitation outcome.

**Multiple services:** **Two or more** primary services needed to achieve a successful rehabilitation outcome.

Consumers seeking supported employment services must be assessed as having a Most Significant Disability. Consumers who receive Title II or Title IX from Social Security (SSI or SSDI) must be assessed as having at least a significant disability.

After a consumer is found eligible for VR services, an order of selection determination is completed. Additional evaluations or assessments to make this determination may be needed. The VR counselor and consumer jointly determine the consumer's order of selection priority category by evaluating the consumer's functional limitations, anticipated services needed and the duration those services.

This policy does not affect a consumer who has begun to receive services under an approved individualized plan for employment prior to the implementation date of order of selection, or those who are in need of post-employment services.

All consumers must be officially notified of their individual order of selection determination. Consumers not immediately activated for development of an employment plan are offered referral services and the option to be placed on a waiting list until employment plan development services can be initiated. Consumers on the wait list are contacted annually to determine if additional information is available. As staff and funds become adequate, those in Category 1, (Most Significant Disability) are activated first, followed by Category 2 (Significant Disability), then Category 3 (other eligible consumers).

**Justification of the Order of Selection****Staff and Fiscal Resources:**

During FFY04 WDVR was able to serve consumers in category 1, and some consumers in Category 2. In October 2004 (FFY '05) a decision to stop the immediate activation of category 1 cases was made, based on case service funding limitations. During FFY '05 the total consumers on the OOS waiting list exceeded 13,000 by July, 2005. In FFY '06, with a significant increase in state match funds, the monthly waiting list decreased to 5,700 by February 2006. Because the demand for VR services continues to be higher than the ability of Wisconsin DVR, even when fully funded, to appropriately serve everyone who is eligible all individuals are assigned to the OOS list. In FFY '07, it is anticipated that eligible consumers with significant and non-significant disabilities will experience a wait for plan development, and those with the most significant disabilities will not have to wait for services.

A notification letter is completed and sent to every consumer at the time the eligibility and OOS Category determination is made. The DSU Senior Leadership Team (SLT) manages the Order of Selection process using the following method:

- At least once a month the Bureau of Consumers Services (BCS) and the Senior Leadership Team (SLT) completes a statewide analysis of the resources available to DVR and determines the number of eligible consumers that can be supported for IPE development.
- When resources make it possible, the Director of the Bureau of Consumer Services sends a list of eligible consumers to be contacted to start IPE development activities.
- This list contains the names of consumers who have been determined eligible for DVR services on or before the date specified on the list.
- Consumer names are listed starting with those with the most significant disabilities (OOS Category 1) and in the order that they applied for DVR services.
- If more consumers can be contacted for IPE development than the number of consumers in OOS Category 1, the IPE development contact list will include OOS Category 2 consumers, by order of application date. The same will be done with OOS Category 3 consumers, if we exhaust the names of OOS Category 2 consumers.
- The list also contains a due date by which staff are to contact and take action on each case.
- This process automatically and seamlessly moves to the next OOS Category on the DVR Waiting List depending on how many consumers can be served with the resources available at the time.

### **Interaction of Staff and Fiscal Resources**

The DSU will have \$40,416,772 available in case service resources for FFY '07. The DSU will continue to monitor actual caseload sizes and case service dollars and make adjustments using the Order of Selection process.

### **Outcomes and Annual Service Goals by Category**

For the period October 1, 2006, through September 30, 2007, the following projections apply:

<b>Order of Selection Category</b>	<b>Projected Numbers</b>	<b>Projected Expenditures</b>	<b>Projected Rehabilitations</b>
1) Most Significant	12,000	\$18,000,000	1,300
2) Significant	21,000	\$21,000,000	1,700
3) Other Eligible	2,000	\$2,257,500	81
4) Pre-OOS, Applicants On Hand and Those on OOS Wait List	3,500	\$159,272	
<b>Total</b>	<b>38,500</b>	<b>\$41,416,772</b>	<b>3,081</b>

Due to insufficient funding levels in FFY '05, WDVR experienced nearly a 50% decrease in active caseload with a monthly low of 9,700 active employment plans by the fourth quarter of the FFY. In FFY '06 and '07, with a significant increase in state match, DVR is slowly rebuilding the active caseload. A gradual increase in expenditures and rehabilitation outcomes is expected as monthly caseloads stabilize at a higher level and participants achieve the goals of their Individualized Plans for Employment over the next two years.

During FFY '07, the DSU will place a priority on increasing and stabilizing the monthly caseload size. The DSU will manage the OOS wait list with the goal of immediate activation of employment plans for persons determined to have the most significant disabilities and employment plan activation wait of no longer than 3 months for persons determined to have significant disabilities.

**Public Comment:**

#1. It has been very frustrating that we are unable to refer people for employment search due to the waiting list. I question if I should even refer people to DVR if the wait is going to be so long.

#2. The long wait is especially hard on people who just lost a job or don't have SSI.

#3. It is difficult to encourage people to apply for DVR when there is a wait list. Individuals lack the planning skills to see that applying now to use the service later is better than not applying at all.

#4. I am impressed with how you pulled down the waiting list. You deserve congratulations on being able to get increased funding and have something very tangible to show for it.

#5. Is the Governor/Legislature going to make the same commitment as the last budget to keep the waiting list in check?

#6. I am happy to hear that the waiting list is going down. Long waits have been frustrating and discouraging for individuals and service providers.

**Response:** The Governor's budget increase in state match funds allowed us to significantly reduce our wait list this year. As of October 2005, there has been no wait for persons with the most significant disabilities and by October 2006, we anticipate that there may be no wait for persons with significant disabilities for at least a few months. We have established a state plan '07 goal to maintain immediate plan activation for persons with significant disabilities and to not have a wait longer than three months for persons with significant disabilities. We believe we can achieve this goal.